

IN RE: PETITION FOR ADMIN. VARIANCE
 S/S Falls Road, 89' S of the
 c/1 of Brick Store Road
 (18255 Falls Road)
 5th Election District
 3rd Councilmanic District
 Brian Keith Blanchette
 Petitioner

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 94-97-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owner of the subject property, Brian Keith Blanchette. The Petitioner requests relief from Sections 400.3 and 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 19 feet in lieu of the maximum permitted 15 feet and a footprint area greater than the principal dwelling, as more particularly described on Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (d)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of October, 1993 that the Petition for Administrative Variance requesting relief from Sections 400.3 and 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 19 feet in lieu of the maximum permitted 15 feet and a footprint area greater than the principal dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The proposed building shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
 TIMOTHY M. KOTROCO
 Deputy Zoning Commissioner
 for Baltimore County

TKM:bjs

ORDER RECEIVED FOR FILING
 Date 10/5/93
 By [Signature]

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

887-3353

October 5, 1993

Mr. Brian Keith Blanchette
 18255 Falls Road
 Hampstead, Maryland 21074

RE: PETITION FOR ADMINISTRATIVE VARIANCE
 S/S Falls Road, 89' S of the c/1 of Brick Store Road
 (18255 Falls Road)
 5th Election District - 3rd Councilmanic District
 Brian Keith Blanchette - Petitioner
 Case No. 94-97-A

Dear Mr. Blanchette:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,
Timothy M. Kotroco
 TIMOTHY M. KOTROCO
 Deputy Zoning Commissioner
 for Baltimore County

TKM:bjs

cc: People's Counsel

[Signature]

Petition for Administrative Variance
 to the Zoning Commissioner of Baltimore County
 for the property located at 18255 Falls Road Hampstead MD 21074
 which is presently zoned RC 4

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and lot attached hereto and made a part hereof, hereby petition for a variance from Sections 400.3, BCAR § 101 (Buildings); BCER, to permit an accessory structure with a height of 19' in lieu of the permitted 15' and a Footprint area greater than the principal dwelling.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County for the following reasons (indicate whether or practical difficulty)

See attached

Property is to be posted and advertised as prescribed by Zoning Regulations

I do not agree to pay expenses of above variance advertising, posting, etc. upon filing of this petition and further agree to and am to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

ORDER RECEIVED FOR FILING
 Date 10/5/93
 By [Signature]

Signature: Brian Keith Blanchette
Brian Keith Blanchette
 Signature: [Signature]
 Address: 18255 Falls Road
Hampstead MD 21074
 City: Hampstead State: MD Zip: 21074
 Telephone: 410-744-0131 (home)
410-239-4097 (none)

REVIEWED BY: _____ DATE: _____
 ESTIMATED POSTING DATE: _____

ORDER RECEIVED FOR FILING
 Date 10/5/93
 By [Signature]

I am requesting an Administrative Variance for height and size so that I will be able to store all of my registered vehicles, lawn and garden equipment, pool supplies/equipment, deck furniture and watercraft.

94-97-A

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
 That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereon in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does do presently reside at 18255 Falls Road
Hampstead MD 21074

That based upon personal knowledge, the following are the facts upon which I base the request for an Administrative Variance at the above address: See attached

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Brian Keith Blanchette
 Brian Keith Blanchette
 Signature of Affiant

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss: _____

I HEREBY CERTIFY, this 30 day of Aug, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared _____

the Affiant(s) herein, personally known or identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinbefore set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal
2/3/93
 My Commission Expires 1/3/95

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 18255 Falls Road, Hampstead, MD 21074

Election District 05 Councilmanic District 3

Beginning at a point on the South side of Falls Road which is sixty (60) feet of right of way wide at a distance of eighty-nine (89) feet south of the centerline of the nearest improved intersecting street Brick Store Road which is twenty (20) feet wide Being Lot #2, Block 57, Section # 40 in subdivision of Marlin W. Utz as recorded in Baltimore County Plat Book # SM 57, Folio #2, containing 132,248 16 square feet and 3 036 acres.

94-97-A

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District 57 Date of Posting 9/10/93
 Posted for: Variance
 Petitioner: Brian K. Blanchette
 Location of property: 18255 Falls Rd., 36' S of Brick Store Rd.
 Location of Sign: Facing roadway on property to be posted
 Remarks: [Signature]
 Posted by: [Signature] Date of return: 9/13/93
 Number of Signs: 7

Baltimore County
 Zoning Administration & Development Management
 111 West Chesapeake Avenue
 Towson, Maryland 21204

ITEM 102
 receipt
 94-97-A
 Date 9-1-93
 Number 5111
 BRIAN BLANCHETTE - 18255 FALLS RD.
 Admin VAR. (010) _____ 50.00
 POSTING (030) _____ 35.00
 85.00

Baltimore County Government
 Office of Zoning Administration
 and Development Management

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

September 21, 1993

Mr. Brian K. Blanchette
 18255 Falls Road
 Hampstead, Maryland 21074

RE: Case No. 94-97-A, Item No. 102
 Petitioner: Brian Keith Blanchette
 Petition for Administrative Variance

Dear Mr. Blanchette:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 1, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

9-10-93

Re: Baltimore County
Item No. 102 (JCM)

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is _____
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 555-0451 D.C. Metro - 1-800-492-3062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21202-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 10, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 96, 100, 102, 103, 104 and 108.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long
Gary L. Kerzo

Division Chief: _____

PK/JL:lw

ZAC-96/PZONE/ZAC1

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

September 13, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Brian Keith Blanchette
18255 Falls Road
Hampstead, Maryland 21074

Re: CASE NUMBER: 94-97-A (Item 102)
18255 Falls Road
S/S Falls Road, 89' S of c/l Brick Store Road
5th Election District - 3rd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact _____ with this office regarding the status of this case. Should reference the case number and be directed to 887-3339. This notice also serves as a referee regarding the administrative process.

1) Your property will be posted on or before September 19, 1993. The closing date (October 4, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, the used receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, Director

For newspaper advertising:
Item No.: 102
Petitioner: BRIAN BLANCHETTE
Location: 18255 FALLS RD Hampstead, Md. 21074

PLEASE FORWARD ADVERTISING BILL TO:
NAME: SAME
ADDRESS: _____
PHONE NUMBER: 410-239-4097

AJ:ggg (Revised 04/09/93)

11093 7729-93
218

Mr. & Mrs. Jack Kincaid
18255 Falls Road
Hampstead MD 21074

Baltimore County Zoning Administration &
Development Management
ATTN: Zoning Commissioner
111 West Chesapeake Avenue
Towson MD 21204

Dear Sir:

We are writing in reference to the proposed Wedgor storage building which is to be erected on the property adjacent to ours known as 18255 Falls Road. We have been made aware by the owner, Brian Blanchette that he is in the process of applying for a Baltimore County Zoning Variance.

We are also aware that the Zoning Variance applied for is required because the height of the storage building exceeds the Baltimore County Zoning requirement of 15 feet and the footprint of the storage building is larger than the footprint of the principal dwelling.

It is our intention with this letter that you are made aware that the height and footprint variance of this building is not objectionable to us, nor does it block our view from any place in our home. If you have any questions, we can be reached by mail at the address listed above. Thank you for your attention in this matter.

Sincerely,
Jack W. Kincaid
Mr. & Mrs. Jack Kincaid

RECEIVED
SEP 15 1993
ZADM

7748-93
218

Mr. & Mrs. Mark Duvall
18257 Falls Road
Hampstead MD 21074

Baltimore County Zoning Administration &
Development Management
ATTN: Zoning Commissioner
111 West Chesapeake Avenue
Towson MD 21204

Dear Sir:

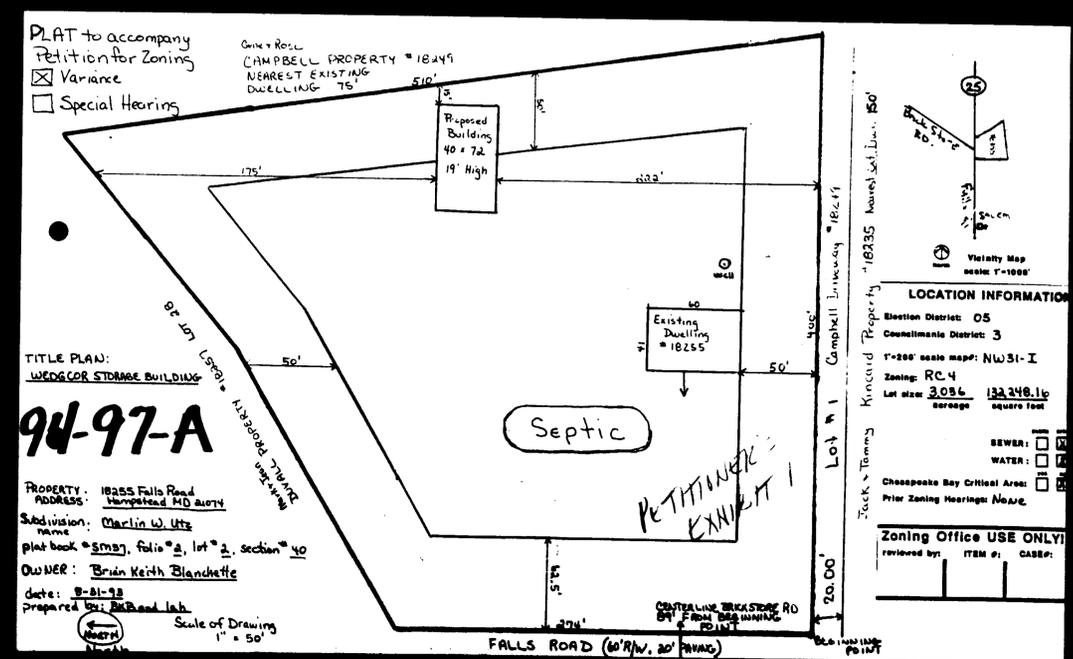
We are writing in reference to the proposed Wedgor storage building which is to be erected on the property adjacent to ours known as 18255 Falls Road. We have been made aware by the owner, Brian Blanchette that he is in the process of applying for a Baltimore County Zoning Variance.

We are also aware that the Zoning Variance applied for is required because the height of the storage building exceeds the Baltimore County Zoning requirement of 15 feet and the footprint of the storage building is larger than the footprint of the principal dwelling.

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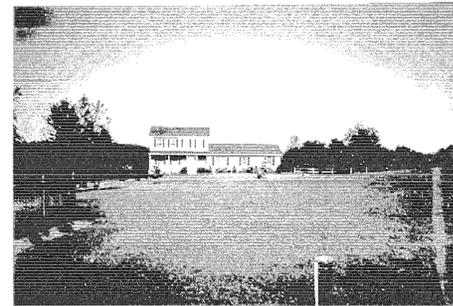
Sincerely,
Mark Duvall
Mr. & Mrs. Mark Duvall

RECEIVED
SEP 14 1993
ZADM



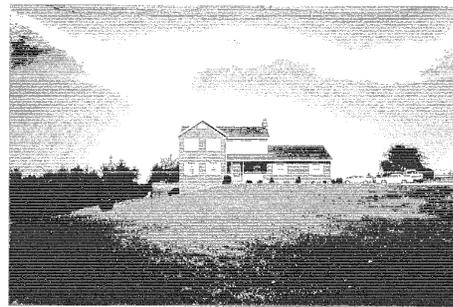


Kincaid Property - 18235 Falls Road - 150' from Blanchette Property to Duelling

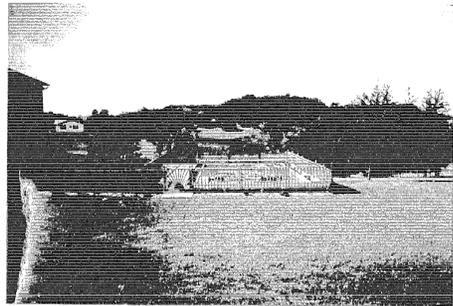


Campbell Property - 18249 Falls Road - 75' from Blanchette Property to Duelling

5



Blanchette Property - 18255 Falls Road - FRONT

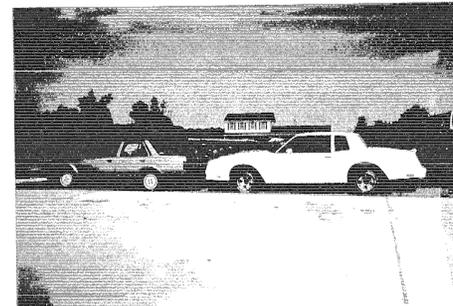


Blanchette Property - 18255 Falls Road - BACK - Pool

1



Blanchette Property - 18255 Falls Road - Side View

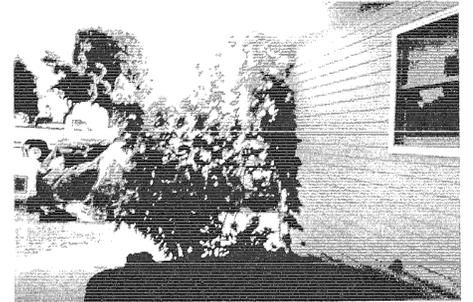


Blanchette Property - 18255 Falls Road - Area beside the garage - Additional vehicles to be stored in Wedgeor Storage Building

2



Blanchette Property - 18255 Falls Road - Proposed Building Site
Campbell Property - 18249 Falls Road - Borders to be kept



Blanchette Property - 18255 Falls Road - Back
The maple trees shown here will be transplanted from this area to border the area around the Wedgeor building

4

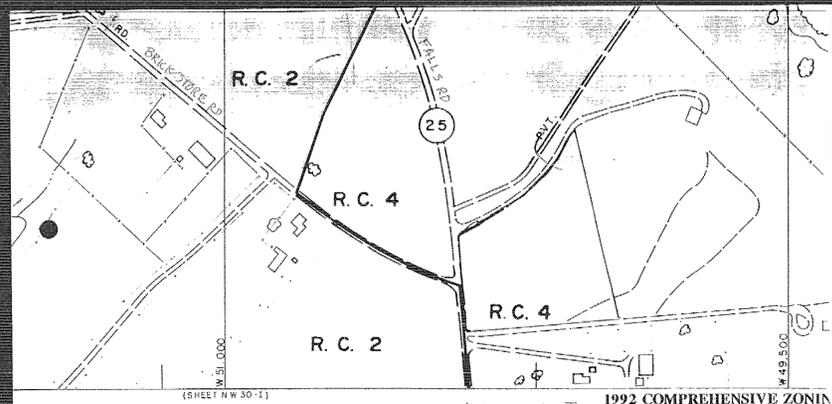


Blanchette Property - 18255 Falls Road - on left side of driveway (Trucks to be stored in Wedgeor Storage Building). Driveway belongs to Campbell Property 18249 Falls Road - House in back (right side of picture) is 18249 Falls Road - Blanchette Property has an agreement which allows for use of Campbell Driveway.



Blanchette Property - 18255 Falls Road - Bordered by Falls Road, Cross Street is Brick Store Road - The vehicle in this picture will also be stored in the Wedgeor Storage Building.

3



BALTIMORE COUNTY *NW 31-I*
 OFFICE OF PLANNING AND ZONING
 OFFICIAL ZONING MAP
 1992 COMPREHENSIVE ZONING
 Adopted by the Baltimore County
 Oct. 15, 1992
Bill Nos. 103-92, 104-92, 105-92, 106-92, 107-92,
William A. Howard
 Chairman, County Council

94-97-A



BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 PHOTOGRAPHIC MAP

94-97-A

SCALE
 1" = 200'
 DATE
 OF
 PHOTOGRAPHY
 JANUARY
 1986